

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 405 – SB 461

February 23, 2017

SUMMARY OF BILL: Amends the Health Maintenance Organization Act of 1986 to add pharmacists to the list of providers the managed health insurance issuer is prohibited from discriminating against solely on the basis of the license or certification, with respect to participation, referral, reimbursement of covered services or indemnification as to any provider who is acting within the scope of the provider's license or certification.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 56-32-129, the current class of providers that managed health insurance issuers are prohibited from discriminating against solely on the basis of the license or certification, with respect to participation, referral, reimbursement of covered services or indemnification as to any provider who is acting within the scope of the provider's license or certification includes optometrists, ophthalmologists, podiatrists, and chiropractors.
- The proposed legislation adds pharmacists to the list of providers.
- Based on information provided by the Bureau of TennCare, the proposed legislation does not expand coverage for services; therefore, any fiscal impact is estimated to be not significant.
- Based on information provided by the Department of Commerce and Insurance, the provisions of the bill will not significantly affect the department's enforcement or regulatory procedures.
- Based on information provided by the Department of Finance and Administration, Divisions of Health Care Finance and Administration and Benefits Administration, the provisions of the bill will not affect the benefit coverage of any state sponsored health programs because they do not use health maintenance organizations (HMOs).

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IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- According to 42 U.S.C 300gg-5, a group health plan and a health insurance issuer offering group or individual health insurance coverage shall not discriminate with respect to participation under the plan or coverage against any health care provider who is acting within the scope of that provider's license or certification under applicable state laws; therefore, any impact to commerce or jobs in Tennessee is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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